

**Hearing Date: January 24, 2007 at 11:00 a.m.**  
**Objections Due: December 18, 2006 at 4:00 p.m.**

Carole Neville (CN 5733)  
Arthur H. Ruegger (AR 8329)  
John A. Bicks (JB 3496)  
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*Counsel to Redwood Growth Partners, L.P.*

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re

BAYOU GROUP, LLC, *et al.*,

Debtors.

BAYOU ACCREDITED FUND, LLC,

Plaintiff,

-against-

REDWOOD GROWTH PARTNERS, L.P.,

Defendant.

Chapter 11

Case No. 06-22306 (ASH)

(Jointly Administered)

Adv. Proc. No. 06-08318 (ASH)

**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that Defendant Redwood Growth Partners, L.P., upon the accompanying Sonnenschein Redeeming Investors' Joint Memorandum In Support Of Motions Pursuant To Fed.R.Bankr.P. 7009 And 7012(b) And Fed.R.Civ.P. 9(b) And 12(b)(6) For Dismissal Of The Complaints, dated November 10, 2006 (the "Joint Memorandum"), the Declaration Of Carole Neville In Support Of Motions To Dismiss, dated November 10, 2006, and exhibits (the "Neville Declaration"), will move before the Honorable Adlai S. Hardin, United States Bankruptcy Judge, Southern District of New York, at the United States

Courthouse, Room 520 at 300 Quarrapos Street, White Plains, New York at a hearing on January 24, 2007 at 11:00 a.m. (prevailing Eastern Time), or as soon thereafter as counsel may be heard, for an order pursuant to Bankruptcy Rules 7009 and 7012(b) and Federal Rules of Civil Procedure 9(b) and 12(b)(6) dismissing the complaint in the above-captioned adversary proceeding (the “Motion”).

**PLEASE TAKE FURTHER NOTICE** that identical copies of the Joint Memorandum and Neville Declaration are being served and filed in the other adversary proceedings wherein the defendants are represented by the undersigned counsel; specifically, these documents are being submitted in the following adversary proceedings: Case Nos. 06 - 08318, -08321, -08329, -08332, -08333, -08336, -08337, -08338, -08340, -08341, -08368, -08389, -08391, -08393, -08397, -08399, -08401, -08403, -08405, -08411, -08417, -08420, -08422, -08423, -08431 and -08435 (ASH).

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the Motion must be filed with the Bankruptcy Court electronically in accordance with General Order M-242 (General Order M-242 and the User’s Manual for the Electronic Case Filing System can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov), the official web site for the Bankruptcy Court), by registered users of the Bankruptcy Court’s case filing system and, by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), Wordperfect or any other Windows-based word processing format (with a hard copy delivered directly to Chambers), and served in accordance with General Order M-242, and served upon Sonnenschein Nath & Rosenthal LLP, 1221 Avenue of the Americas, New York, New York, 10020, Attention: Carole Neville, Esq., Arthur H. Ruegger, Esq. and John A. Bicks, Esq., so as to be actually received by the foregoing no later than December 18, 2006 at 4:00 p.m.

No previous request for the relief sought in the Motion has been made to this or any other court.

Dated: New York, New York  
November 10, 2006

SONNENSCHN NATH & ROSENTHAL LLP

By: /s/ Carole Neville  
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TO: Counsel on the Attached Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 10<sup>th</sup> day of November, 2006, I caused to be served a copy of the foregoing **Notice of Motion to Dismiss** on: (i) the parties listed on the attached Core Group Service List either by overnight delivery or by hand delivery where indicated; and (ii) the attached 2002 Service List by first class U.S. mail.

/s/Carole Neville

Carole Neville, Esq.

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